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PATENT

Attorney Docket No. IBM/151
Confirmation No. 1431

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Miller Art Unit: 2157
 Serial No.: 09/732,189 Examiner: Hussein A. El-chanti
 Filed: December 7, 2000 Atty. Docket No.: IBM/151
 For: PEER PROTOCOL STATUS QUERY IN CLUSTERED COMPUTER SYSTEM

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed September 20, 2005 finally rejecting claims 1-26.

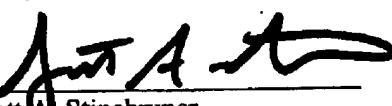
The item(s) checked below are appropriate:

1. Applicants hereby petition for a _____ month extension of time to reply to the final rejection.
 A check in the amount of \$_____ is attached.

2. Appeal Fee: XXX Other than a small entity Fee: \$500.00
 Small Entity Status previously Fee: \$_____
 Requested and is still proper
 Small Entity Status Requested Fee: \$_____

3. Payment Check attached for the sum of \$_____.
 XXX Please charge the sum of \$500.00 and any deficiency or credit
 any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

By: 
 Scott A. Stinebruner
 Reg. No. 38,323

Date: 15 DEC 2005

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CERTIFICATE OF FACSIMILE TRANSMISSION
 I hereby certify that this correspondence and the enclosures noted herein (13 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Hussein A. El-chanti, Art Unit 2157, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 571-273-8300 on December 15, 2005.

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 Notice of Appeal dated December 15, 2005
 Reply to Final Office Action of 09/20/2005
 IBM Docket ROC920000125US1
 WH&E IBM/151
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12/16/2005 CNGUYEN  December 15, 2005
 Judith L. Volk Date
 09732189

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 PAGE 13/13 * RCVD AT 12/15/2005 2:01:31 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/27 * DNIS:2738300 * CSID:513 241 6234 * DURATION (mm:ss):03:58 P. 13